



Overview of Bill 36-18 “NextGen TDM” Proposed Changes to County Code

**Joint Meeting of TMD Advisory
Committees with County Executive**

November 22, 2019

**Department of Transportation
Office of Transportation Policy
Commuter Services Section**





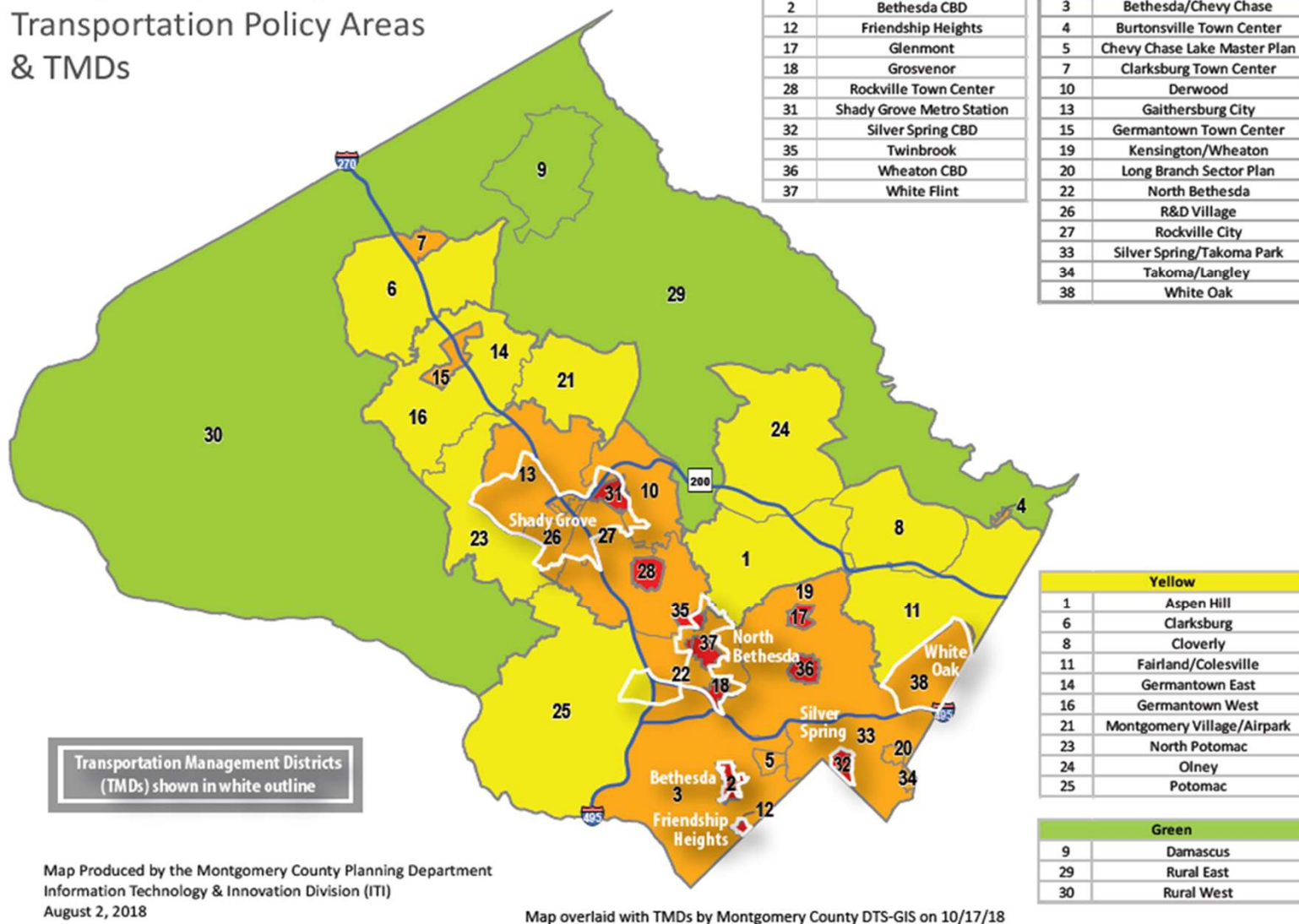
Key Goals of Bill 36-18

- **Streamline Process**
 - Reduce need for negotiation during development process
 - Shorten time for approval of TDM programs
- **Provide Flexibility**
 - Provide more choices of TDM strategies, tailored to type of project, geography, availability of transportation options
 - Provide ability to make adjustments, change strategies over time
- **Ensure Fairness**
 - Clarify requirements, including costs to the project
 - Improve consistency and predictability
- **Increase Effectiveness**
 - Extend TDM/multi-modal approaches to broader segment of the County
 - Improve monitoring, reporting & enforcement
 - Provide incentives/disincentives to promote goal achievement
 - Enhance ability to achieve County's transportation goals

Process

- White Flint I Sector Plan TDM analysis = Technical studies, changes to approach on TMAs
- Recognition of need for improved tools to meet commuting goals
- County Working Group formed, comprised of staff of Executive Branch Departments, Council & M-NCPPC
- Public Outreach – multiple stakeholders including TMD & other advisory committees, civic groups, developers, land use attorneys, general public
 - Two Public Open Houses Conducted
- Presentations to Planning Board and Department Heads
- Council Public Hearing
- MCDOT reviewed public hearing testimony, continued to receive additional input
- Revisions to proposed bill recommended by County Executive Elrich
- Council Transportation & Environment (T&E) held multiple worksessions
- Next Steps:
 - Full Council consideration of Bill 36-18 as revised
 - Executive Regulation
 - Council creates new TMDs by Resolution
 - Determine funding/sources

Montgomery County Transportation Policy Areas & TMDs



NextGen TDM: Bill 36-18

Changes Proposed for Employers

More Employers Covered + Change in Terminology

Current Code Requirements:

Employers located in TMDs who have 25 or more employees are required to:

- File a “Traffic Mitigation Plan” (TMP)
- Report annually on the TDM measures they are implementing
- Participate in the Commuter Survey
- **MCDOT provides online templates for the TMP and the Annual Report**
- The Plan can be completed and filed online – See template shown in Appendix

Proposed Changes to Code Under NextGen:

- TMPs would now be called **Employer TDM Plans** & have similar requirements
- Employers of the following sizes located in these Policy Areas must file TDM Plans:

Red – ≥ 25 employees

Orange – ≥ 100 employees

Yellow – ≥ 200 employees

NextGen TDM – Recommended Revisions to Code Changes Proposed for New Development Projects

- Extends TDM to more new development projects in broader portion of County – excluding SF- & TH-only projects
- Incorporates Subdivision Staging Transportation Policy Areas/Color Categories
- Focuses on achieving Master Plan/TMD/Policy Area NADMS Goals
- Eliminates Traffic Mitigation Agreements (TMAGs) for New Developments
- Instead: New developments submit TDM Plan based on size & location of project:

Three Levels of Project-Based TDM Plans: Basic, Action, Results – **AS RECOMMENDED BY T&E**

Subdivision Staging Policy Area	No Requirements	Level 1: TDM Basic Plan	Level 2: TDM Action Plan	Level 3: TDM Results Plan
Red Areas	<25K GSF	25K - ≤40K GSF		>40K GSF
Orange Areas	<40K GSF	40K - ≤80K GSF	>80K - ≤160K GSF	>160K GSF
Yellow Areas	<60K GSF	60K - ≤150K GSF	>150K GSF	TDM Results Plan not required – May be used upon Applicant request

Project-Based TDM Plans – Key Components*

- **Level 1: Basic Program – Bare minimum**
 - Appoint contact person, cooperate with County program efforts
 - Facilitate outreach on-site
 - Provide Real Time and other TDM-related information
 - Otherwise relies on County programs
- **Level 2: Action Program – Mid-range commitment: Must contribute to achieving TMD goal**
 - Commitment to implement specific strategies
 - Minimum funding commitment for on-site program
 - Self-monitoring, reporting
 - Addition/substitution of program elements if progress not being made
 - Modest increases required in funding of on-site program for non-performance
 - Performance incentives for ongoing contribution toward area goal
- **Level 3: Results Program – Highest level commitment: Must achieve TMD/Project goal**
 - Independent monitoring
 - More substantial increases in on-site funding if goal not met after multiple monitoring periods
 - Performance incentives for ongoing project goal achievement

* See Related Chart: “TDM Plan Components for New Development Projects”